

Jason S. Brookner
Texas Bar No. 24033684
Jason M. Brown
Texas Bar No. 24087220
GRAY REED & McGRAW, P.C.
1601 Elm Street, Suite 4600
Dallas, TX 75201
Telephone: (214) 954-4135
Facsimile: (214) 953-1332

COUNSEL TO CIGNA CORPORATION

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

IN RE:	§ Case No. 15-42373-RFN-11
	§
VICTORY MEDICAL CENTER MID-	§ Chapter 11 (Jointly Administered)
CITIES, LP, <i>et al.</i> ,	§
	§
Debtors.	§

**JOINDER AND OBJECTION OF CIGNA CORPORATION TO
THE FIRST AND SECOND MOTIONS OF THE GRANTOR TRUSTEE FOR
AUTHORITY TO CONDUCT RULE 2004 EXAMINATIONS OF CERTAIN ERISA
PLAN SPONSORS AND THEIR THIRD PARTY ADMINISTRATORS AND FOR
THE PRODUCTION OF DOCUMENTS**

Cigna Corporation, on behalf of itself and its affiliates (collectively, “Cigna”) for its *Objection and Joinder with Respect to the First and Second Motions of the Grantor Trustee to Conduct Rule 2004 Examinations of Certain ERISA Plan Sponsors and their Third Party Administrators and for the Production of Documents* [Docket Nos. 1193 & 1194] (together, the “2004 Motions”), respectfully represents:

1. Cigna objects to 2004 Motions for the bases set forth in, and joins with, the objections filed by Anthem, Inc., Aetna, Inc. and Fannie Mae (respectively, Docket Nos. 1208, 1209 and 1210) (collectively, the “Objections”).

2. In the 2004 Motions, the Grantor Trustee seeks to subpoena and examine well in excess of 600 parties. Many of these entities are Cigna clients, and have been inundating Cigna with questions and inquiries regarding the 2004 Motions and their impact.¹ As set forth more fully in the other Objections, none of Cigna's clients will have any information about the matters sought to be discovered in the 2004 Motions. As a result, and at a minimum, the 2004 Motions should immediately be denied with respect to any and all entities who are Cigna clients and who are otherwise not third party administrators (referred to in the Objections as TPAs) or other third party payors. Further, any order granting the 2004 Motions should expressly preserve the rights of all Cigna clients to individually object to, and seek to limit or quash, any subpoenas and discovery requests that may be issued.² The plan sponsors – many of whom are Cigna clients – will not have any information pertaining to the inquiries alleged to be covered by the 2004 Motions.

3. Further, after receiving the 2004 Motions, Cigna reached out to both the Grantor Trustee's counsel and a business contact at Torch Recovery, to discuss the 2004 Motions and attempt to at least narrow the issues. In particular, because Cigna entered into certain settlement agreements with certain of the Debtors or their related entities prepetition, which might very well resolve the matters covered in the 2004 Motions. No meaningful response has been received.

4. Further, as discussed in the Objections, not only do the 2004 Motions fail to even remotely comply with the Local Rules, but they are profoundly overbroad, profoundly burdensome, and fail to demonstrate any reason – never mind anything approaching cause – for granting (or even seeking) the expansive and undefined relief requested.

¹ Cigna is still trying determine exactly how many of the proposed 2004 Motion witnesses are Cigna clients. Once that determination has been finalized, Cigna will file a supplement to this objection, and provide the Court with the relevant information.

² Nothing herein is intended to be, nor should it in any way construed or deemed to be, a waiver of any rights or claims held by any Cigna client.

5. Cigna joins in all of the legal arguments in each of the Objections.

WHEREFORE, Cigna respectfully requests that the Court deny the 2004 Motions and grant such other and further relief as may be just and proper.

Respectfully submitted this 15th day of July, 2016.

GRAY REED & McGRAW, P.C.

By: /s/ Jason S. Brookner
Jason S. Brookner
Texas Bar No. 24033684
Jason M. Brown
Texas Bar No. 24087220
1601 Elm Street, Suite 4600
Dallas, Texas 75201
Telephone: (214) 954-4135
Facsimile: (214) 953-1332
Email: jbrookner@grayreed.com
jbrown@grayreed.com

COUNSEL TO CIGNA CORPORATION

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 15th day of July, 2016, he caused a true and correct copy of the foregoing pleading to be served via the Court's CM-ECF Electronic Notification System, upon those parties who have so-subscribed.

/s/ Jason S. Brookner
Jason S. Brookner